

Constitution in Peril

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The Constitution that has protected our rights and liberties for more than 200 years is now in greater danger of being overthrown than at any time in our history. Though generations of patriotic citizens have fought and died to defend it against enemies foreign and domestic, it is now that the Cold War is over and we no longer face the threat of thermonuclear Armageddon that it is in the greatest peril. If action is not soon taken to defend it against its enemies, all those lives may have been sacrificed in vain.

So who are the enemies that now threaten what we have so long defended? Drug lords? Terrorists? Hungry hordes of foreigners? Economic or ecological collapse? Nuclear proliferation? Space aliens?

No, some of these things may pose serious challenges, but none of them are as deadly as a cancer of fascism that is grasping for power within the very institutions that we founded to keep us free. We fought World War II against countries that had allowed themselves to be taken over by fascism, and we thought that we had defeated fascism when we won that war. But we didn't. We have comforted ourselves with the delusion that our democratic traditions are too strong to allow such a thing to happen here, that even in the deepest economic crisis we would remain true to the principles on which this country was founded.

Could the government of the United States be overthrown by a *coup*? Nonsense, most people would say. There is no one in sight who might try such a thing, nor any reason why anyone would want to. If they tried, they would fail. No one would follow them. The military, the people, would never stand for it.

Maybe. But suppose that almost no one knew it was happening, or recognized it for what it was? Could the Constitution be overthrown a little at a time, over a period of decades, or overthrown in secret, allowing the external trappings of constitutional governance to continue while the real power was exercised behind the scenes by persons no longer accountable to the people?

Skeptics will laugh and say that Americans have long entertained themselves with fantastic conspiracy theories, and that when they find evidence that such conspiracies might actually be taking place, they are only reading their vivid imaginings into ordinary events.

Maybe not. We have the evidence that for more than 60 years much of the legislation that has been passed, and much of what officials have done, is in substantial violation of the Constitution. Federal and State governments, especially the Federal, have assumed powers that have no foundation whatsoever in any of the provisions of the Constitution. These powers are justified as needed to deal with various kinds of "bad guys", whatever is the flavor of the month, but they are increasingly being used to deprive good guys of their rights. We see even the most beneficial of programs being turned into avenues of corruption and abuse. Officials continually test the

tolerance of the public, trying to see how much they can get away with. It is not just a few rogue governmental or corporate officials, overcome by greed or zeal, who pose an occasional threat. The culture of entire institutions is becoming criminal in both execution and intent.

Is this a conspiracy to overthrow the Constitution, or mere "emergent behavior" that, while it may pose a threat, is not conscious or deliberate? Emergent though it may be, it can no longer be said to be unconscious of its true role, and it is too tightly coordinated not to bear the name of Conspiracy.

A few decades ago, if you asked many of those involved about compliance with the Constitution, most would make excuses, saying that it was only bending the Constitution a little, and that the needs of the moment justified a little flexibility until the crisis was over. But no one would openly say that the Constitution was not the sacred ground on which our system of law and justice was founded. Now you can hear, more and more, an attitude of contempt toward the Constitution by those sworn to defend it. We have more and more reports of officials saying, "F___ the Constitution!", and getting away with it.

And we, the people, do let them get away with it. Asked why he didn't argue against a piece of proposed legislation that it would be a violation of the Constitution, a member of Congress once said, "If I insisted on complying with the Constitution, I wouldn't stay in Congress very long." So the provisions of the Constitution become just so many special-interest pleadings, to be ignored or discarded if no pressure is brought to bear to sustain them, to be compromised with the winds of politics change.

Thomas Jefferson once suggested that we ought to have a revolution every 20 years, and that the Tree of Liberty needed to be occasionally watered with the blood of patriots. One has to wonder whether the blood of patriots will again have to be shed to get people to take the Constitution seriously again.

Constitution Society, 6900 San Pedro #147-230, San Antonio, TX 78216, 210/224-2868